

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

PETER D. KINDER, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 10-CV-00101-RWS
)	
TIMOTHY F. GEITHNER, <i>et al.</i> ,)	
)	
Defendants.)	

**THE MISSOURI ATTORNEY GENERAL’S
MOTION TO INTERVENE**

Attorney General Chris Koster hereby seeks leave to intervene in this litigation under Federal Rule of Civil Procedure 24. Plaintiffs have filed a civil suit against the federal government challenging the constitutionality of the Patient Protection and Affordable Care Act (“the Act”). In their Complaint, Plaintiffs allege that the Act contravenes the Missouri Constitution and state law, and that the Act violates the United States Constitution.

In the Complaint, Lieutenant Governor Peter Kinder purports to bring suit in his official capacity, but the substantive portions of the Complaint do not appear to be consistent with this assertion. Because the Complaint is ambiguous and because the case could potentially implicate the interests of the state, the Attorney General has an interest in the litigation, and the Court should grant him leave to intervene under Rule 24 for this limited purpose.

WHEREFORE, the Attorney General respectfully moves the Court to permit him to intervene and grant such other relief as may be just and proper in the premises.

July 9, 2010

Respectfully submitted,

CHRIS KOSTER
Attorney General

/s/ Matthew L. Dameron

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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of July, 2010, I electronically filed the forgoing with the Clerk of the Court using the CM/ECF electronic notification system which sent notification of such filing to the following:

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